



U.S. DEPARTMENT OF JUSTICE
Federal Bureau of Prisons
Metropolitan Detention Center

80 29th Street
Brooklyn, New York 11232

September 23, 2022

The Honorable Sanket J. Buslsara
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11207

Re: Kara Sternquist, Reg. No. 44404-061
U.S. v. Kara Sternquist, Case No. 22-MJ-01005

Dear Judge Bulsara:

This letter is written in response to Your Honor's Order, dated September 22, 2022, regarding inmate Kara Sternquist, Register Number 44404-061, directing Metropolitan Detention Center in Brooklyn, New York ("MDC Brooklyn") to (1) move Sternquist to the female housing unit and (2) provide medical attention to Sternquist for her spinal injury.

In response to Your Honor's first Order, inmate Sternquist remains housed in a male housing unit. The current housing assignment of inmate Sternquist will remain until further guidance is provided by Central Office Transgender Executive Council ("TEC"). Per BOP Program Statement 5200.08, the Prison Rape Elimination Act ("PREA") regulations (section 28 C.F.R. § 115.42 (c)), incorporated into the Program Statement: Sexually Abusive Behavior Prevention and Intervention Program, state:

"In deciding whether to assign a transgender or intersex inmate to a facility for male or female inmates...the agency shall consider on a case-by-case basis whether a placement would ensure the inmate's health and safety, and whether the placement would present management or security problems." Upon receipt of information from a Pre-Sentence Report, court order, U.S. Attorney's Office, defense counsel, the offender, or other source that an individual entering BOP custody is transgender or intersex, designations staff will refer the matter to the TEC.¹

Furthermore, the TEC:

will consider factors including, but not limited to, an inmate's security level, criminal and behavioral/disciplinary history, current gender expression, programming, medical, and mental health needs/information, vulnerability to sexual victimization, and likelihood of perpetrating

¹ BOP Program Statement 5200.08 - Transgender Offender Manual, p.5

abuse. The TEC may also consider facility-specific factors, including inmate populations, staffing patterns, and physical layouts (e.g., types of showers available). The TEC will consider the wellbeing of all inmates while exploring appropriate options available to assist with mitigating risk to the inmate, to include but not limited to cell and/or unit assignments, application of management variables, programming missions of the facility, and security of the institution.²

As Bureau of Prisons guidelines require, when an inmate has identified as transgender and requests to be housed with the gender they identify as, the TEC must be contacted. Unit Management, Case Management, Medical and Psychology staff members will review the inmate's current housing and inmates file, with an Associate Warden's oversight. A review will be considered on a case-by-case basis. A memorandum will be prepared by the aforementioned departments, for the Warden to submit for the TEC's review. Until guidance is provided from the TEC, the inmate will remain in the current housing unit they were assigned, so long as there are no safety or security concerns present. Said memorandum was prepared and submitted by MDC Brooklyn on September 22, 2022, and we are awaiting a response on how to proceed. Furthermore, in accordance with 18 U.S.C.A. § 4042 (a), under the discretion of the Attorney General, the BOP has the authority to determine the appropriate housing assignment for an inmate that has been charged with or convicted of offense against the United States. Furthermore, according to 18 U.S.C.A. § 3621, the "Bureau of Prisons shall designate the place of the prisoner's imprisonment, and shall, subject to bed availability, the prisoner's security designation, the prisoner's programmatic needs, the prisoner's mental and medical health needs.

In response to Your Honor's second Order, inmate Sternquist has been evaluated by the medical department for an initial intake. Multiple medications were prescribed for a variety of medical concerns raised by inmate Sternquist. Additionally, I have requested medical documentation from defense counsel in order for our doctor to provide further treatment based on her prior medical diagnosis. At this time, it medical has not noted that it is clinically indicated for inmate Sternquist to be in a wheelchair.

Based on the aforementioned reasons, the MDC Brooklyn respectfully request Your Honor's Order be vacated, as we are following the appropriate policy and procedures. I will keep you apprised of the recommendations and decisions that are made by the Central Office TEC.

If there is ever any specific information the Court requires from the institution, we will be happy to provide it. If it would be helpful, I would be happy make myself available for a phone conversation to discuss any other concerns you may have.

Respectfully submitted,

/s/

Sophia Papapetru
Supervisory Attorney

² BOP Program Statement 5200.08 - Transgender Offender Manual, p.6